

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MEAG MUNICH ERGO  
KAPITALANLAGESELLSCHAFT, MBH,  
**et al.**,

Plaintiff(s),

Case No. 07 CV 11485

-against-

VIVENDI, S.A., **et al.**,

Defendant(s).

**AFFIDAVIT OF SERVICE**

-----X  
STATE OF NEW YORK     )  
                                  s.s :  
COUNTY OF NEW YORK    )

JASON AGEE, being duly sworn, deposes and says that he is an employee of KEATING & WALKER ATTORNEY SERVICE, INC., is over the age of eighteen years and is not a party to the action.

That on the 2nd day of January, 2008, at approximately 12:27 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION; JUDGE'S RULES; ECF FILING INSTRUCTIONS and COMPLAINT** upon Jean-Marie Messier c/o Messier Partners, LLC at One Rockefeller Plaza, Suite 1502, New York, New York 10020 by personally delivering and leaving the same with Franca Efangon, Assistant to Jean-Marie Messier, who is authorized by appointment to accept service.

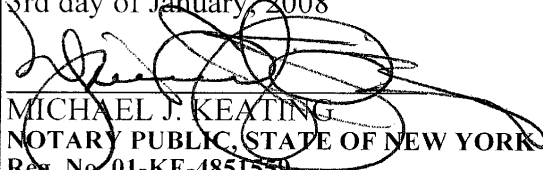
Franca Efangon is a black female, approximately 35 years of age, is approximately 5 feet and 8 inches tall, weighs approximately 130 pounds, with long black hair and dark eyes.

That on the 2nd day of January, 2008 deponent served another copy of the foregoing upon the defendant by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL and CONFIDENTIAL" written on the same, and not indicating on the outside that it is from an attorney or concerns a legal matter, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:

**Jean-Marie Messier  
c/o Messier Partners, LLC  
One Rockefeller Plaza  
Suite 1502  
New York, New York 10020**

Sworn to before me this  
3rd day of January, 2008

  
JASON AGEE #1196790

  
MICHAEL J. KEATING  
NOTARY PUBLIC, STATE OF NEW YORK  
Reg. No. 01-KE-4851559  
Qualified in New York County  
Commission expires February 3, 2010

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

MEAG MUNICH ERGO  
KAPITALANLAGEGESELLSCHAFT MBH, et al.

SUMMONS IN A CIVIL ACTION

V.  
VIVENDI, S.A., JEAN-MARIE MESSIER  
and GUILLAUME HANNEZO

CASE NUMBER:

07 CV 11485

TO: (Name and address of Defendant)

Jean-Marie Messier  
c/o Messier Partners, LLC  
One Rockefeller Plaza  
Suite 1502  
New York, NY 10020

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Stuart M. Grant  
James J. Sabella  
GRANT & EISENHOFER P.A.  
485 Lexington Avenue  
29th Floor  
New York, NY 10017  
Tel: (646) 722-8500

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

NOV 21 2007

CLERK

DATE

(By) DEPUTY CLERK